



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

836760

PHELAN HALLINAN DIAMOND & JONES, PC  
1617 JFK Boulevard, Suite 1400  
Philadelphia, PA 19103  
856-813-5500

Attorneys for U.S. BANK TRUST, N.A., AS  
TRUSTEE FOR LSF10 MASTER PARTICIPATION  
TRUST

In Re:

Brian McCann  
Bonnie McCann

Order Filed on April 6, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No: 17-32785 - MBK

Hearing Date: March 25, 2020

Judge: MICHAEL B KAPLAN

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S  
MOTION TO EXTEND THE AUTOMATIC STAY**

The consent order set forth on the following page, numbered two (2) is hereby  
**ORDERED.**

**DATED: April 6, 2020**

A handwritten signature of Michael B. Kaplan in black ink, appearing to read "Michael B. Kaplan".  
\_\_\_\_\_  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

This Consent Order pertains to the property located at 20 RHODE ISLAND DRIVE,  
JACKSON, NJ 08527, mortgage account ending with "6713";

THIS MATTER having been brought before the Court by, James J. Cerbone, Esquire attorney for debtors, Brian McCann and Bonnie McCann, upon the filing of a Motion to Extend the Automatic Stay; and Caliber Home Loans, Inc., by and through its attorneys, Phelan Hallinan Diamond & Jones, PC, having filed an Objection to said Motion, and the parties having resolved their differences, and for good cause shown, it is **ORDERED** that Debtor's Motion to Reinstate the Automatic Stay is resolved, subject to the following conditions:

1. The Automatic Stay is **REINSTATED** as to Secured Creditor.
2. Beginning April 1, 2020, Debtors will continue to make regular monthly payments in accordance with the terms of the Mortgage and Note.
3. The Debtors will remain current from this day forward in accordance with the terms of the Mortgage and Note.
4. The Debtors acknowledge that the monthly mortgage payment amount is subject to change in accordance with the terms of the Mortgage and Note.
5. The Debtors agree that if the regular monthly mortgage payment commencing February 1, 2020, is more than thirty (30) days late, counsel for the Secured Creditor may file a Certification of Default with the Court and the Court shall enter an Order granting relief from the Automatic Stay.
6. In the event the Debtor converts to a Chapter 7 during the pendency of this bankruptcy case, the Debtor shall cure all pre-petition arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. If the Default is not cured within ten (10) days of conversion, counsel for the Secured Creditor may file a Certification of Default with the Court and the Court shall enter an Order granting relief from the Automatic Stay, waiving FED. R. Bankr. P. 3002.1.

In re:  
Brian McCann  
Bonnie McCann  
Debtors

Case No. 17-32785-MBK  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Apr 06, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 08, 2020.

db/jdb +Brian McCann, Bonnie McCann, 20 Rhode Island Drive, Jackson, NJ 08527-1447

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Apr 08, 2020

Signature: /s/Joseph Speetjens

---

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 6, 2020 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com  
Andrew L. Spivack on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF10 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com  
Denise E. Carlon on behalf of Creditor Ditech Financial LLC dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com  
James J. Cerbone on behalf of Joint Debtor Bonnie McCann cerbonelawfirm@aol.com, cerbonejr83307@notify.bestcase.com  
James J. Cerbone on behalf of Debtor Brian McCann cerbonelawfirm@aol.com, cerbonejr83307@notify.bestcase.com  
Michael R. DuPont on behalf of Creditor United Teletech Financial FCU dupont@redbanklaw.com, dana@redbanklaw.com  
Rebecca Ann Solarz on behalf of Creditor Ditech Financial LLC rsolarz@kmllawgroup.com  
Robert Davidow on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF10 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com  
Sherri Jennifer Smith on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF10 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT nj.bkecf@fedphe.com, nj.bkecf@fedphe.com  
Sindi Mncina on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF10 MASTER PARTICIPATION TRUST smncina@rascrane.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 12